

TROUTMAN SANDERS LLP
5 PARK PLAZA, SUITE 1400
IRVINE, CA 92614-2545

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AXIS REINSURANCE COMPANY,

Plaintiff,

v.

TELEKENEX, INC.; ANTHONY ZABIT;
KAREN SALAZAR; BRANDON CHANEY;
DEANNA CHANEY; MARK PRUDELL;
JOY PRUDELL; MARK RADFORD; NIKKI
RADFORD; JOSHUA SUMMERS; JULIA
SUMMERS; IXC HOLDINGS, INC.;
STRAITSHOT COMMUNICATIONS, INC.;
STRAITSHOT RC, LLC,

Defendant.

AND RELATED COUNTERCLAIMS

Case No. 3:12-cv-02979-SC

**STIPULATION AND REQUEST FOR
DISMISSAL WITH PREJUDICE OF:**

- 1) **TELEKENEX, INC., ANTHONY ZABIT, KAREN SALAZAR, BRANDON CHANEY, DEANNA CHANEY, AND IXC HOLDINGS, INC. ("TELEKENEX DEFENDANTS") FROM AXIS REINSURANCE COMPANY'S FIRST AMENDED COMPLAINT; AND**
- 2) **SECOND AMENDED COUNTERCLAIM OF THE TELEKENEX DEFENDANTS IN ITS ENTIRETY**

[Fed. R. Civ. P. 41(a), (c)]

Plaintiff/Counter-Defendant AXIS Reinsurance Company ("AXIS") and Defendants/Counter-Claimants Telekenex, Inc., Anthony Zabit, Karen Salazar, Brandon Chaney, Deanna Chaney, and IXC Holdings, Inc. (collectively, the "Telekenex Defendants") have reached a settlement, one term of which requires the dismissal of their respective claims against each other in this action.

Case No. 3:12-cv-02979-SC

STIPULATION AND REQUEST FOR DISMISSAL OF
THE TELEKENEX DEFENDANTS AND THEIR
SECOND AMENDED COUNTERCLAIM

1 Now therefore, AXIS and the Telekenex Defendants hereby request and stipulate as
2 follows:

3 (1) Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff AXIS
4 Reinsurance Company stipulates and agrees to the dismissal of its First Amended Complaint in
5 this action (ECF Doc. No. 15) as to Defendants Telekenex, Inc., Anthony Zabit, Karen Salazar,
6 Brandon Chaney, Deanna Chaney, and IXC Holdings, Inc. only. No other defendants are hereby
7 dismissed.

8 (2) Pursuant to Rule 41(a)(1) and (c) of the Federal Rules of Civil Procedure,
9 Defendants/Counter-Claimants Telekenex, Inc., Anthony Zabit, Karen Salazar, Brandon Chaney,
10 Deanna Chaney, and IXC Holdings, Inc. stipulate and agree to the dismissal of their Second
11 Amended Counterclaim against Plaintiff/Counter-Defendant AXIS Reinsurance Company (ECF
12 Doc. No. 105) in its entirety.

13 These requested and stipulated dismissals are with prejudice, with each party to bear their
14 own fees and costs. AXIS' First Amended Complaint shall not be dismissed hereby as to the
15 remaining defendants.

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17 Dated: December 20, 2013

Respectfully submitted,

TROUTMAN SANDERS LLP

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20 BY: 

Terrence R. McInnis

Ross Smith

*Attorneys for Plaintiff and Counter-
Defendant AXIS Reinsurance Company*

1 Dated: December 6, 2013

KARR TUTTLE CAMPBELL

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3 BY: *Jacquelyn Beatty*

J. Dino Vasquez

Jacquelyn Beatty

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5 *Attorneys for Defendants/Counter-Claimants*
6 *Telekenex, Inc., IXC Holdings, Inc., Anthony*
7 *Zabit, Karen Salazar, Brandon Chaney, and*
8 *Deanna Chaney*

LAW OFFICES OF STEPHEN R. PAPPAS

9 *Per telephone authority*
10 BY: *Stephen R. Pappas*

Stephen R. Pappas

11 *Attorneys for Defendants/Counter-Claimants*
12 *Telekenex, Inc., IXC Holdings, Inc., Anthony*
13 *Zabit, Karen Salazar, Brandon Chaney, and*
14 *Deanna Chaney*

15 **PROPOSED ORDER**

16 Good cause appearing, the request is GRANTED under the authority of FRCP 41(a)(2).

17 IT IS SO ORDERED.

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19 Dated: 01/03/2014

